

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

THOMAS F. FINNEGAN,  
MARY E. FINNEGAN,

Plaintiffs,

**ORDER**

CIV. NO. 15-204 (MJD/JSM)

v.

SUNTRUST MORTGAGE,  
FEDERAL NATIONAL MORTGAGE ASSOCIATION,

Defendants.

The above matter comes before the Court upon Defendants' Objections to the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated August 18, 2015 in which she recommends that Defendants' motion to dismiss be granted in part and denied in part.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b) (1); Local Rule 72.2(b). Based upon that review, the Court **adopts** the Report and Recommendation [Doc. No. 23] of United States Magistrate Judge Mayeron dated August 18, 2015.

**IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss [Docket No. 11] is **GRANTED** in part and **DENIED** in part consistent with the Magistrate Judge's Report and Recommendation.

2. On or before thirty days from the date of this Order, Plaintiffs shall file and serve a Second Amended Complaint consistent with the Report and Recommendation.

3. Defendants shall respond within the time permitted under the Federal Rules of Civil Procedure.

Dated: October 21, 2015

s/Michael J. Davis  
Michael J. Davis  
United States District Court